

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT  
MINUTES OF REGULAR MEETING  
NOVEMBER 14, 2012**

CALL TO ORDER

Chairman Sewell called the meeting to order at 9:00 a.m. Board members present were Dave Weinstein, Tom DePew, Todd Walker and Carole Stringer. Larry Comer, Attorney Mike Schmidt, Ken Thompson and Superintendent Dustin Jacobson were present as representatives of the Board. Visitors were Mr. Daum, Chris Kating and Dick Martindale from Panhandle Health District.

AGENDA AND MINUTES

The minutes of October 17<sup>th</sup> and 24<sup>th</sup> and November 5<sup>th</sup> were reviewed by the Board. Some Board members had trouble receiving the November 5<sup>th</sup> minutes and the October 24<sup>th</sup> minutes were not received by the Board in error. **Board member Weinstein moved to approve the October 17<sup>th</sup> minutes and the agenda for this meeting. Board member Walker seconded the motion. The motion carried.** The October 24<sup>th</sup> and November 5<sup>th</sup> minutes will be continued to the next meeting.

SEPTIC TANK ISSUE

Superintendent Jacobson informed the Board that the homeowner at 1771 E. St. James has a septic tank on his property that his shop is now hooked to. The homeowner, Mr. Daum is now going to build a new home and would like to hook it to the septic system also. Mr. Jacobson explained that he is within 200' of the District sewer line and feels he should hook up to the District's system.

Mr. Martindale from PHD stated that the standard procedure is a will serve letter from the District which is referred to in the SMA agreement. If the home is within the 200' and the Sewer District is willing to serve then he should hook up to the system. Board member Weinstein questioned Mr. Daum on how long he has had his shop hooked to the septic. Mr. Daum replied since 1984 and he feels he should be able to use it for his home.

Mr. Comer stated that that with a new home the strategy is to eliminate septic tanks. The sewer can be designed to fit. Avondale area has tight soils and high water table. Mr. Daum should connect. Mr. Daum questioned the LID7a letter that states he has a zero assessment. Mr. Jacobson explained that he has no assessment because he doesn't have an ER yet.

Attorney Schmidt felt that the District has treated similar situations the same and not doing so now would create a precedence for treating this differently. Board member D3ePew explained that he had a similar situation and he had to hook up. Mr. Daum asked if this was a pressure system that he would hook up to. Board member DePew replied that is was and he has two pumps.

Mr. Jacobson discussed the difference in septic in use and septic on a vacant lot. Board member Stringer questioned if Mr. Daum were to hook the home to the system, would the shop continue to be on the septic tank and if not, then what happens to the septic tank. Mr. Jacobson replied that the septic tank would go away.

Mr. Comer stated that the District already paid for the stub to the property when the system was put in. Board member Weinstein stated that the septic is about 28 years old. Mr. Martindale stated that Mr. Daum must become a part of the sewer system when it becomes available, this is standard practice.

Board member DePew discussed PHD doing inspections on septic tanks after they have been installed. As of now they only inspect at the time of installation and no other inspections are done. Board member Stringer felt that the issuance of a permit has to be the driving factor. Chairman Sewell felt that the shop would have less use than the home. **Board member Walker moved that Mr. Daum hook to the District Sewer System, seconded by Board member Stringer. Board member Weinstein commented that it would be unfair to others to not make Mr. Daum hook up. The motion was carried.**

## SEPTIC TANK REGULATIONS

Dustin Jacobson discussed the septic tank regulations with the Board and stated that PHD needs to permit all tanks, including the ones in the Sewer District. Mr. Jacobson stated that it is our responsibility to inspect the tanks in the District. Mr. Martindale informed the Board that PHD has deferred permitting within the District. PHD now does permitting if there is subsurface water. Mr. Jacobson explained that the Sewer District doesn't do anything with the septic tank and questioned the Board if they wanted to start inspecting or have PHD involved.

Board member Weinstein questioned if it would only be new ones going in that would be inspected. It would be hard to go back and try to inspect already installed tanks. Board member Weinstein asked if the District is entitled to force people to pump every so many years and to prove it like the City of Dalton does. Attorney Schmidt stated that the District could do this. Mr. Jacobson explained that he would like more control and the authorization to help people find their tanks. Board member Weinstein questioned Mr. Jacobson if pumping the tanks help the system. Mr. Jacobson replied that it prevents backups and solids going into the effluent.

Mr. Comer felt that the District would have construction standards and inspections done. Mr. Jacobson would need authorization to go onto private property. Mr. Comer stated that he is reluctant to see the District take on the burden of chasing people and making sure they are pumping their tanks. Attorney Schmidt explained the District's right to impose a mandate for pumping septic tanks. Board member DePew suggested policing the construction part of the hook up to our standards but not police the use of it. Board member Stringer suggested creating strong standards and work with PHD. Inform PHD when we approve a permit that has a septic tank. Board member Weinstein felt that the District should police our own activities. **Board member Walker moved to have the District take over the responsibility of septic tanks on our system. Board member Stringer seconded the motion. The motion carried.**

## PHONE CALL TO D. QUADE

At 10:00 a.m. a call was made to Attorney Danielle Quade for the purpose of discussing the LID7a presentation and agenda for the public hearing.

Larry Comer explained the procedure and that there will be three parts to the meeting. Ms. Quade suggested listing the time and date of the next Board meeting on the agenda slide in the presentation. Mr. Comer asked for the Boards preference and Board member Stringer stated that 12/12/12 at 9:00 a.m. was fine.

A memorandum of pending LID should be filed so lenders and purchasers would know it is coming. Ms. Quade suggested the wording be Local Improvement District pending, notice of formation of LID.

Mr. Comer questioned what will happen when a zero assessment becomes an assessment before the LID closes. Ms. Quade stated that we will file a notice that the LID is amended for whatever parcel it is that will be getting the assessment.

Attorney Schmidt suggested that a resolution for the HARSB CAP fee increase be placed on the December 12<sup>th</sup> agenda. Attorney Schmidt discussed the consolidation requests and explained the process and the information that is needed from the constituent.

Administrator Hagman questioned if the proposed LID is approved and someone that has requested an ER buyback has made payments on the LID and then the District buys back their ER, will we also pay them back the payments that they have made. Attorney Schmidt stated that the Board will deal fairly and will look at the LID payments that have been made.

Mr. Comer informed the Board that he has dropped the second ten year estimates from the presentation but will still talk about the 20 year project. Board member Stringer suggested adding a sentence that says, please come to the podium and state your name and address on the slide. Board member Stringer also felt that the map of the District is so small that we maybe should take it out.

The phone call with Ms. Quade ended here.

#### AMENDMENTS TO TASK ORDERS 11-01 & 12-02

**Following review of the amendments to the Welch Comer task orders 11-01 and 12-02 Board member Stringer moved to approve the amendments. Board member Walker seconded the motion. The motion carried.**

#### BOARD DISCUSSION

Attorney Schmidt discussed the numbers from FCS for judicial validation for the City of Hayden and the ownership of HARSB shares trying to come up with a formula so each pays their fair share. The District should not pay for any expansion of the plant. JUB has come up with cost estimates. The District needs to have a durable formula. Attorney Schmidt, Larry Comer, Nancy Stricklin, Danielle Quade and Angie from FCS will meet to discuss the formula. Board member Stringer requests that Paul Klatt from JUB come to a District meeting and give a presentation on the numbers before any resolutions are approved. Mr. Comer agreed that the Board needs to know where the shares came from and how it was computed.

Chairman Sewell moved the regular meeting on November 28<sup>th</sup> from 5:00 p.m. to 9:00 a.m. Board member Weinstein felt that the Board needs to meet as soon as possible regarding the numbers. Attorney Schmidt felt that the meeting should include Paul Klatt, Ken Windram and Danielle Quade.

Chairman Sewell then announced that the regular meeting on December 26<sup>th</sup> will be cancelled

## EMPLOYEE INCENTIVES

Board member Stringer was in favor of not having any increase and wanted to decide on this issue before the public hearing on LID7a. Ken Thompson replied that the bonuses were budgeted for. Board member Walker asked where in the budget this would come from. Mr. Thompson replied that the bonuses come from salaries. Board member Walker moved to have the same as last year. Board member Weinstein felt that a decision on bonuses should be made after the public hearing. The motion died for lack of a second. This issue will be placed on the next agenda.

ADJOURN

**At 11:55 a.m. Board member Stringer moved to adjourn, seconded by Board member Walker. The motion carried.**

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Dave Weinstein, SECRETARY

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Lynn M. Hagman, ADMINISTRATOR